

LEGISLATIVE JOURNAL
OF THE
STATE OF NEBRASKA
Volume 1

NINETIETH LEGISLATURE
FIRST SPECIAL SESSION

1988

Convened November 11, 1988

Adjourned November 18, 1988

LINCOLN, NEBRASKA

Compiled

Under the Authority of the Legislature

by

PATRICK J. O'DONNELL, CLERK

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LEGISLATURE

MEMBERS

Dist.	Name	Address	Occupation	Counties
1	R. Wiley Remmers.....	Auburn.....	Farmer.....	Johnson, Nemaha, Otoe*, Pawnee, Richardson
2	Roger R. Wehrbein.....	Plattsmouth.....	Farmer/Feeder.....	Cass, Otoe*
3	Emil E. Beyer, Jr.	Gretna.....	Real Estate Investor & Food Catering	Douglas*, Sarpy*
4	Gary E. Hannibal.....	Omaha.....	Contractor.....	Douglas*
5	Bernice Labedz.....	Omaha.....	State Senator.....	Douglas*
6	Brad Ashford.....	Omaha.....	Attorney.....	Douglas*
7	Timothy J. Hall.....	Omaha.....	Public Relations Officer.....	Douglas*
8	Vard R. Johnson.....	Omaha.....	Lawyer.....	Douglas*
9	Marge Higgins.....	Omaha.....		Douglas*
10	Carol McBride Pirsch.....	Omaha.....	Supervisor of..... Community Relations	Douglas*
11	Ernie Chambers.....	Omaha.....	Barber.....	Douglas*
12	Chris Abboud.....	Omaha.....	Attorney.....	Douglas*
13	Daniel C. Lynch.....	Omaha.....	Vice President, Consumer Affairs	Douglas*
14	Ronald E. Withem.....	Papillion.....	Executive Director, Mechanical Contractors	Sarpy*
15	Lowell C. Johnson.....	North Bend.....	Retired Engineer/ Farmer/Businessman	Dodge*
16	Frank Korshoj.....	Herman.....	Retail Lumberman.....	Burt, Cuming*, Thurston, Washington

Dist.	Name	Address	Occupation	Counties
17	Gerald Conway	Wayne	Professor, Consultant.....	Dakota, Dixon, Wayne*
18	Stan Schellpeper.....	Stanton	Farmer	Colfax, Cuming*, Dodge*, Stanton
19	Elroy M. Hefner	Coleridge.....	Business Executive	Cedar, Knox, Pierce, Wayne*
20	Glenn A. Goodrich	Omaha.....	Industrial Electrical..... Works, Inc.	Douglas*
21	Richard Peterson	Norfolk	Farmer/Beekeeper.....	Madison
22	Helen H. Campbell	Columbus	Realtor	Boone*, Nance, Platte*
23	Loran Schmit	Bellwood	Farmer	Butler, Platte*, Saunders
24	Scott Moore	Stromsburg.....	Farmer/State Senator.....	Polk*, Seward, York
25	Jerome Warner	Waverly	Livestock/Farming	Lancaster*
26	Don Wesely	Lincoln	LT&T Senior..... Research Associate	Lancaster*
27	Stephanie A. Johanns	Lincoln	LT&T-Data Processing	Lancaster*
28	James D. McFarland	Lincoln	Attorney.....	Lancaster*
29	Shirley M. Marsh.....	Lincoln	Legislator	Lancaster*
30	Patricia Morehead	Beatrice	State Senator.....	Gage, Jefferson*
31	Jerry Chizek	Omaha.....	Manager, Public Affairs.....	Douglas*
32	George Coordsen.....	Hebron	Farmer	Fillmore, Jefferson*, Saline, Thayer
33	Jacklyn J. Smith.....	Hastings	State Senator.....	Adams
34	Rod Johnson.....	Sutton.....	Farmer	Clay, Hall*, Hamilton, Merrick, Polk*
35	Arlene B. Nelson	Grand Island.....	State Senator.....	Hall*

Dist.	Name	Address	Occupation	Counties
36	Lorraine Langford	Kearney	Homemaker, Grandmother	Buffalo*, Hall*
37	Jerry D. Miller	Davenport	Farmer	Buffalo*, Franklin, Kearney, Nuckolls, Webster
38	W. Owen Elmer	Indianola	Agri-Business	Frontier, Furnas, Gosper, Harlan, Lincoln*, Red Willow
39	William E. Barrett	Lexington	Real Estate/Insurance	Dawson, Phelps
40	Merton L. Dierks	Ewing	Veterinarian/Rancher	Antelope, Boone*, Boyd, Holt
41	Carson H. Rogers	Ord	Hog Farmer	Custer*, Garfield, Greeley, Hall*, Howard, Loup, Sherman, Valley, Wheeler
42	David Bernard-Stevens	North Platte	Teacher	Lincoln*
43	Howard A. Lamb	Anselmo	Rancher	Blaine, Brown, Cherry, Custer*, Hooker, Keya Paha, Logan, McPherson, Rock, Thomas
44	Rex Haberman	Imperial	State Senator	Arthur, Chase, Deuel, Dundy, Grant, Hayes, Hitchcock, Keith, Lincoln*, Perkins
45	D. Paul Hartnett	Bellevue	College Professor	Sarpy*
46	David Landis	Lincoln	Instructor/State Senator	Lancaster*
47	Dennis G. Baack	Kimball	Farmer	Banner, Cheyenne, Garden, Kimball, Morrill, Scotts Bluff*
48	John L. Weihing	Gering	Retired-UNL	Scotts Bluff*
49	Sandra K. Scofield	Chadron	Counselor/Consultant/ Farmer	Box Butte, Dawes, Sheridan, Sioux

Clerk

Patrick J. O'Donnell Lincoln

RULES OF THE LEGISLATURE

Rules in effect at the commencement of the Ninetieth Legislature, First Special Session, 1988, are the same rules in effect at the commencement of the Ninety-First Legislature, First Session, 1989.

FIRST DAY - NOVEMBER 11, 1988**LEGISLATIVE JOURNAL****NINETIETH LEGISLATURE
FIRST SPECIAL SESSION****FIRST DAY**

Legislative Chamber, Lincoln, Nebraska
Friday, November 11, 1988

Pursuant to a proclamation by Her Excellency, Kay A. Orr, Governor of the State of Nebraska, the Ninetieth Legislature, First Special Session, assembled in the West Legislative Chamber of the State Capitol, at the hour of 2:00 p.m., Friday, November 11, 1988, and was called to order by President Nichol.

PRAYER

The prayer was offered by Rev. Harland Johnson, Chaplain Coordinator.

ROLL CALL

The roll was called and the following members were present:

Abboud, Chris	Hannibal, Gary E.	Nelson, Arlene B.
Ashford, Brad	Hefner, Elroy M.	Peterson, Richard
Baack, Dennis G.	Higgins, Marge	Pirsch, Carol McBride
Barrett, William E.	Johanns, Stephanie A.	Remmers, R. Wiley
Bernard-Stevens, David F.	Johnson, Lowell C.	Rogers, Carson H.
Beyer, Emil E., Jr.	Johnson, Vard R.	Schellpeper, Stan
Chambers, Ernie	Korshoj, Frank	Schmit, Loran
Chizek, Jerry	Labeledz, Bernice	Scofield, Sandra K.
Conway, Gerald	Lamb, Howard A.	Smith, Jacklyn J.
Coordsen, George	Langford, Lorraine	Warner, Jerome
Dierks, Merton L.	McFarland, James D.	Wehrbein, Roger R.
Elmer, W. Owen	Miller, Jerry D.	Weihing, John L.
Goodrich, Glenn A.	Moore, Scott	Wesely, Don
Haberman, Rex	Morehead, Patricia	Withem, Ronald E.
Hall, Timothy J.		

Messrs. Hartnett, R. Johnson, Landis, Lynch, Mesdames Campbell, and Marsh were excused.

DECLARATION

Pursuant to a proclamation issued by the Honorable Kay A. Orr, Governor of Nebraska, we are here and now assembled in the 90th Legislature, 1st Special Session of the Nebraska Legislature. I, as Lieutenant Governor, declare that we are now open for the transaction of business.

(Signed) William E. Nichol,
Lieutenant Governor

PROCLAMATION

BY VIRTUE OF THE AUTHORITY VESTED in the Governor by Article IV, Section 8, of the Constitution of the State of Nebraska, I, Kay A. Orr, as Governor of the State of Nebraska, believing that an extraordinary occasion has arisen, **DO HEREBY CALL** the Legislature of Nebraska to convene in extraordinary session at the State Capitol on November 11, 1988 at 2:00 p.m. for the purpose of considering and enacting legislation on only the following subjects:

1. To fix the salary of members of the Legislature in accordance with Article III, Section 7 of the Constitution of Nebraska.
2. To appropriate the necessary funds for any salary adjustment enacted for members of the Legislature.
3. To appropriate funds as necessary for the expenses and costs of the extraordinary session herein called.

I direct that members of the Legislature of the State of Nebraska be notified of the convening of this extraordinary session by presenting to each of them a copy of this Proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand, and caused the Great Seal of the State of Nebraska to be affixed this 5th day of October, in the year of our Lord one thousand nine hundred and eighty-eight.

(Signed) KAY A. ORR
Governor

(SEAL)Attest:

(Signed) ALLEN J. BEERMANN
Secretary of State

CERTIFICATE

State of Nebraska
Department of State

I, Allen J. Beermann, Secretary of State of the State of Nebraska do hereby certify that the attached represents a true and correct roster of members of the Nebraska Unicameral Legislature serving in the Ninetieth Legislature, First Extraordinary (Special) Session, called by the Governor to commence on November 11, 1988.

Further, I hereby certify that all members whose names appear on the roster with the district designation have been duly elected or appointed to serve as a member of the Legislature in the Ninetieth Legislature, First Extraordinary (Special) Session.

Finally, I hereby certify that all election or appointment records are a matter of public record in the office of Secretary of State.

Further, I saith not.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Nebraska.

Done at Lincoln this eleventh day of November in the year of our Lord, one thousand nine hundred and eighty-eight.

(SEAL) Allen J. Beermann, Secretary of State
Ralph Englert, Deputy

DISTRICT NAME

ELECTED

1 R. Wiley Remmers	November 6, 1984
2 Roger R. Wehrbein	November 4, 1986
3 Emil E. Beyer, Jr.	November 6, 1984
4 Gary Hannibal	November 4, 1986
5 Bernice Labedz	November 6, 1984
6 Brad Ashford	November 4, 1986
7 Tim Hall	November 6, 1984
8 Vard R. Johnson	November 4, 1986

9	Marge Higgins	November 6, 1984
10	Carol McBride Pirsch	November 4, 1986
11	Ernie Chambers	November 6, 1984
12	Chris Abboud	November 4, 1986
13	Daniel C. Lynch	November 6, 1984
14	Ron Withem	November 4, 1986
15	Lowell C. Johnson	November 6, 1984
16	Frank Korshoj	November 4, 1986
17	Gerald A. Conway	November 6, 1984
18	Stan Schellpeper	November 4, 1986
19	Elroy M. Hefner	November 6, 1984
20	Glenn A. Goodrich	November 4, 1986
21	Richard Peterson	November 6, 1984
22	Helen H. Campbell	***Appt'd. 1-4-88
23	Loran Schmit	November 6, 1984
24	Scott Moore	November 4, 1986
25	Jerome Warner	November 6, 1984
26	Don Wesely	November 4, 1986
27	Stephanie A. Johanns	*Appt'd. 5-13-87
28	James D. McFarland	November 4, 1986
29	Shirley Marsh	November 6, 1984
30	Patricia S. Morehead	November 4, 1986
31	Jerry Chizek	November 6, 1984
32	George Coordsen	November 4, 1986
33	Jacklyn Smith	November 6, 1984
34	Rod Johnson	November 4, 1986
35	Arlene B. Nelson	November 6, 1984
36	Lorraine Langford	November 4, 1986
37	Jerry D. Miller	November 6, 1984
38	W. Owen Elmer	November 4, 1986
39	William E. Barrett	November 6, 1984
40	Merton L. Dierks	November 4, 1986
41	Carson Rogers	November 6, 1984
42	David F. Bernard-Stevens	**Appt'd. 12-30-87
43	Howard Lamb	November 6, 1984
44	Rex S. Haberman	November 4, 1986
45	D. Paul Hartnett	November 6, 1984
46	David M. Landis	November 4, 1986
47	Dennis Baack	November 6, 1984
48	John L. Weihing	November 4, 1986
49	Sandra K. Scofield	November 6, 1984

*Appt'd. to fill vacancy created by resignation of Bill Harris

**Appt'd. to fill vacancy created by resignation of James Pappas

***Appt'd. to fill vacancy created by resignation of Lee Rupp

MOTION - Election of Officers

Mrs. Labeledz moved that the following officers be elected to serve for the Ninetieth Legislature, First Special Session:

Clerk of the Legislature
Assistant Clerk of the Legislature
Sergeant at Arms
Chaplain Coordinator

Patrick J. O'Donnell
Richard K. Brown
Carl E. Kamprath
Harland Johnson

The motion prevailed.

MESSAGES FROM THE GOVERNOR

April 13, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the Board of Educational Lands and Funds, requiring legislative confirmation.

Appointee: Rose Sipe, Smith Bary Harris Upham & Co. Inc.,
366 Regency Parkway, Omaha, NE 68114.

This appointment is respectfully submitted for your consideration.

(Signed) Sincerely,
KAY A. ORR
Governor

KAO:sk

April 13, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building

Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the Board of Educational Lands and Funds, requiring legislative confirmation.

Appointee: Thomas Creigh, Jr., 1950 N. Elm, Hastings, NE 68901, work: 462-2141.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:sk

April 20, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the Governor's Advisory Committee to the Department of Public Institutions, the Department of Social Services and the Department of Corrections, requiring legislative confirmation.

Appointee: Jane Hansen Gilbert, 9728 Brentwood Road, Omaha, NE 68114, home: 397-6119.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:sk

April 21, 1988

FIRST DAY - NOVEMBER 11, 1988

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Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the Foster Care Review Board, requiring legislative confirmation.

Appointee: MaryLou Hannibal, 1383 S. 137th Ave., Omaha, NE 68144, work: 331-7220.

This appointment is respectfully submitted for your consideration.

(Signed) Sincerely,
KAY A. ORR
Governor

KAO:sk

June 7, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following reappointment to the Dry Bean Commission, requiring legislative confirmation.

Appointee: Ted Chikos, Route 1, Box 149, Bridgeport. NE 69336, Phone: (308) 262-0979.

This appointment is respectfully submitted for your consideration.

(Signed) Sincerely,
KAY A. ORR
Governor

KAO:sk

June 7, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following reappointment to the Dry Bean Commission, requiring legislative confirmation.

Appointee: Charles R. Witmer, Route 1, Box 6W, Mitchell, NE 69357, work: (308) 623-1454.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:sk

June 7, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following reappointment to the Dry Bean Commission, requiring legislative confirmation.

Appointee: Jeffrey L. Pickering, Route 1, Box 158, Scottsbluff, NE 69361, work: (308) 632-4591.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR

FIRST DAY - NOVEMBER 11, 1988

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Governor

KAO:sk

June 15, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following reappointment to the Commission for the Hearing Impaired, requiring legislative confirmation.

Appointee: Rhonda H. L. Purbaugh, 9500 S. 56th Street,
Lincoln, NE 68516, Work: (402) 474-3000.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:sk

June 15, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the Research & Development Authority, requiring legislative confirmation.

Appointee: Michael R. McCarthy, McCarthy, Dunn, & Co.,
444 Regency Parkway, Suite 305, Omaha, NE 68114.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:sk

June 15, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the Commission for the Hearing Impaired, requiring legislative confirmation.

Appointee: Rosemary Hannam, 4801 California Street, Omaha,
NE 68132, Phone: (402) 558-9369.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:sk

June 15, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the Commission for the Hearing Impaired, requiring legislative confirmation.

Appointee: Phyllis Large, 1939 North 67th, Lincoln, NE 68505,
Phone: (402) 466-6350.

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This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:sk

June 15, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following reappointment to the Research & Development Authority, requiring legislative confirmation.

Appointee: Lee B. Jones, Warner Hall, 3835 Holdrege, Lincoln, NE 68588-0743, Work: (402) 472-5242.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:sk

July 13, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the Nebraska Investment Council, requiring legislative confirmation.

Appointee: Mary H. Jochim, 1714 N. 121 Street, Omaha, NE 68154.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:sk

July 14, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following reappointment to the Coordinating Commission for Postsecondary Education, requiring legislative confirmation.

Appointee: Carol S. Hendrickson, P.O. Box 567, Holdrege, NE 68949.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:sk

July 15, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

FIRST DAY - NOVEMBER 11, 1988

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This is to inform the honorable members of the Legislature that I have made the following appointment to the Crime Victim's Reparation Committee, requiring legislative confirmation.

Appointee: Colonel H. W. LeGrande, Nebraska State Patrol,
14th & Burnham, Lincoln, NE 68502.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:tr

July 15, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the Crime Victim's Reparation Committee, requiring legislative confirmation.

Appointee: Darrell Johnson, Cheyenne County Sheriff, Sidney,
NE 69162.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:tr

August 5, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the School Financing Review Commission, requiring legislative confirmation.

Appointee: Cynthia Milligan, Director, Department of Banking, P.O. Box 95006, Lincoln, NE 68509-5006.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:tr

August 5, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the School Financing Review Commission, requiring legislative confirmation.

Appointee: Senator Ron Withem, District #14, State Capitol, Lincoln, NE 68509.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:tr

August 5, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building

FIRST DAY - NOVEMBER 11, 1988

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Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the School Financing Review Commission, requiring legislative confirmation.

Appointee: Senator Howard Lamb, District #43, State Capitol, Lincoln, NE 68509.

This appointment is respectfully submitted for your consideration.

(Signed) Sincerely,
KAY A. ORR
Governor

KAO:tr

August 5, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the School Financing Review Commission, requiring legislative confirmation.

Appointee: Senator Helen Campbell, District #22, State Capitol, Lincoln, NE 68509.

This appointment is respectfully submitted for your consideration.

(Signed) Sincerely,
KAY A. ORR
Governor

KAO:tr

August 5, 1988

Mr. President, Mr. Speaker

and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the School Financing Review Commission, requiring legislative confirmation.

Appointee: Don Leuenberger, Wittson Hall, Rm 5001, UNMC
42nd and Dewey, Omaha, NE 68105.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:tr

August 5, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the School Financing Review Commission, requiring legislative confirmation.

Appointee: Dr. Gene Koepke, Business Dept., Ockinga Center,
Kearney State College, Kearney, NE 68849.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:tr

August 5, 1988

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Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the School Financing Review Commission, requiring legislative confirmation.

Appointee: Larry Vontz, Deputy Commissioner of Education,
P.O. Box 94987, Lincoln, NE 68509-4987.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:tr

August 5, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the School Financing Review Commission, requiring legislative confirmation.

Appointee: Charlyne Berens, Publisher, Seward County
Independent, Box 449, Seward, NE 68434.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:tr

August 5, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the School Financing Review Commission, requiring legislative confirmation.

Appointee: Lyn Ziegenbein, Peter Kiewit Foundation,
Woodman Tower, Omaha, NE 68102.

This appointment is respectfully submitted for your consideration.

(Signed) Sincerely,
KAY A. ORR
Governor

KAO:tr

August 5, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the School Financing Review Commission, requiring legislative confirmation.

Appointee: Pat Neujahr, 435 N. Wood, Valentine, NE 69201.

This appointment is respectfully submitted for your consideration.

(Signed) Sincerely,
KAY A. ORR
Governor

FIRST DAY - NOVEMBER 11, 1988

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KAO:tr

August 5, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the School Financing Review Commission, requiring legislative confirmation.

Appointee: Duane Stehlik, Superintendent, Table Rock Public Schools, Box F, Table Rock, NE 68447.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:tr

August 5, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the School Financing Review Commission, requiring legislative confirmation.

Appointee: Margaret Norton, 650 N. State, Osceola, NE 68651.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR

Governor

KAO:tr

August 5, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the School Financing Review Commission, requiring legislative confirmation.

Appointee: Dr. James G. Merritt, Superintendent, Norfolk Public Schools, 512 Philip Ave., Box 139, Norfolk, NE 68701.

This appointment is respectfully submitted for your consideration.

(Signed) Sincerely,
KAY A. ORR
Governor

KAO:tr

August 5, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the School Financing Review Commission, requiring legislative confirmation.

Appointee: Ann Campbell, 7500 South, Unit 8, Lincoln, NE 68506.

This appointment is respectfully submitted for your consideration.

FIRST DAY - NOVEMBER 11, 1988

21

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:tr

August 5, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the School Financing Review Commission, requiring legislative confirmation.

Appointee: Don R. Benning, Assistant Superintendent, Omaha Public Schools, 3902 Davenport Street, Omaha, NE 68131.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:tr

August 5, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the School Financing Review Commission, requiring legislative confirmation.

Appointee: Pat Vinton, HC 84, Box 103, Gordon, NE 69343.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:tr

August 15, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the Motor Vehicle Industry Licensing Board, requiring legislative confirmation.

Appointee: Jayne L. Mann, P.O. Box 10, Aurora, NE 68818.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:tr

August 19, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the State Personnel Board, requiring legislative confirmation.

Appointee: Janet L. Krotter, P.O. Box 858, O'Neil, NE 68763.

This appointment is respectfully submitted for your consideration.

FIRST DAY - NOVEMBER 11, 1988

23

(Signed) Sincerely,
KAY A. ORR
Governor

KAO:tr

August 19, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the Motor Vehicle Industry Licensing Board, requiring legislative confirmation.

Appointee: Dana E. Trowbridge, 595 4th Street, David City,
NE 68632, (402) 367-3047.

This appointment is respectfully submitted for your consideration.

(Signed) Sincerely,
KAY A. ORR
Governor

KAO:tr

August 19, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the Coordinating Commission for Postsecondary Education, requiring legislative confirmation.

Appointee: Ralph P. Cuca, Jr., 5420 Canterbury Lane, Lincoln,
NE 68512, (402) 476-6964.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:tr

August 19, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I
have made the following appointment to the Nebraska Motor Vehicle
Industry Licensing Board, requiring legislative confirmation.

Appointee: Lloyd J. Soukop, Lloyd & Herb's Used Cars, 701
W. 4th Street, Grand Island, NE 68801.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:tr

September 9, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

FIRST DAY - NOVEMBER 11, 1988

25

This is to inform the honorable members of the Legislature that I have made the following appointment to the Accountability and Disclosure Commission, requiring legislative confirmation.

Appointee: Susan Correa, 12636 Shirley, Omaha, NE 68144,
(402) 333-7425.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:tr

October 4, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the Agricultural Land Valuation Advisory Board, requiring legislative confirmation.

Appointee: Mona Moje, 2610 14th Street, Columbus, NE
68601, (402) 564-1311.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:tr

October 6, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the State Board of Health, requiring legislative confirmation.

Appointee: Zoy E. Blair, RN, 10024 Pinkney, Omaha, NE 68134, (402) 571-4713.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:tr

October 6, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following reappointment to the State Board of Health, requiring legislative confirmation.

Appointee: Robert F. Shapiro, M.D., 7410 Old Post Rd. #8, Lincoln, NE 68506, (402) 489-5372.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:tr

October 6, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building

FIRST DAY - NOVEMBER 11, 1988

27

Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the State Board of Health, requiring legislative confirmation.

Appointee: Dick J. Jeffers, 331 N. Cherry Street, Valentine, NE 69201, (402) 376-3390.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:tr

October 27, 1988

Mr. President, Mr. Speaker
and Members of the Legislature
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment to the Foster Care Review Board, 1st District, requiring legislative confirmation.

Appointee: Patricia J. Ruth, RR 1, Box 128A, Walton, NE 68461, (402) 488-6681.

This appointment is respectfully submitted for your consideration.

Sincerely,
(Signed) KAY A. ORR
Governor

KAO:tr

ATTORNEY GENERAL'S OPINIONS

Opinion No. 88037

DATE: September 6, 1988

SUBJECT: LB 940

REQUESTED BY: Senator Ron Withem

WRITTEN BY: Robert M. Spire, Attorney General
Harold Mosher, Assistant Attorney General

You have asked for our opinion on the constitutionality of sections 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24 of LB 940 of the 1988 Legislature.

We have examined the above cited sections and are of the opinion that the same are constitutional. Your comments and potential issues in connection with the above was most helpful.

Sincerely,
ROBERT M. SPIRE
Attorney General
(Signed) Harold Mosher
Assistant Attorney General

cc Patrick J. O'Donnell
Clerk of the Legislature
20-30-8

Opinion No. 88042

DATE: November 1, 1988

SUBJECT: Interpretation of "Veteran" Qualifying for
Homestead Exemption under Neb.Rev.Stat.
§77-3509(1) (Reissue 1986).

REQUESTED BY: Senator George Coordsen
Nebraska State Legislature

WRITTEN BY: Robert M. Spire, Attorney General
L. Jay Bartel, Assistant Attorney General

You have requested our opinion regarding the interpretation of the word "veteran" in Neb.Rev.Stat. §77-3509(1) (Reissue 1986) with

regard to the application of the Homestead Exemption provided pursuant to this provision. In particular, you ask whether the word "veteran" within the portion of the statute establishing the eligibility for exemption of "the unremarried widow or widower of any such veteran or of any veteran who has died because of a service-connected disability,..." pertains only to veterans as defined in Neb.Rev.Stat. §80-401.01 (Reissue 1987).

Neb.Rev.Stat. §77-3509(1) (Reissue 1986) provides, in pertinent part:

All homesteads in this state shall be assessed for taxation the same as other property, except that there shall be exempt from taxation a percentage of the first thirty-five thousand dollars of the actual value of any homestead of any veteran, as defined in §80-401.01, drawing compensation from the Veterans' Administration of the United States because of one hundred per cent disability and not eligible for total exemption under §77-3526 to 77-3528, or the unremarried widow or widower of any such veteran or of any veteran who died because of a service-connected disability, or the unremarried widow or widower of a serviceman or servicewoman who died while on active duty during the dates described in §80-401.01.

Neb.Rev.Stat. §80-401.01 (Reissue 1987) in turn defines "veteran" to include only individuals who have served on active duty during specified periods of time during which the United States was at war.

Generally, in construing a statute, legislative intent is to be determined by considering the act as a whole, in light of its object and purposes. Sorenson v. Meyer, 220 Neb. 457, 370 N.W.2d 173 (1985). Furthermore, where the same word is used repeatedly in a statute, the word is to be given the same meaning throughout, unless the context indicates a contrary intent. Knoell v. Huff, 224 Neb. 90, 395 N.W.2d 749 (1986).

Construing the provisions of §77-3509(1) as a whole, it appears the exemption contained in this section was intended to apply to veterans, as defined in §80-401.01, the unremarried widow or widower of such veterans under specified conditions, and to the unremarried widow or widower of a serviceman or service woman who died while on active duty during the time periods specified in §80-401.01. Initially, the statute establishes an exemption for veterans who served on active duty during the dates specified in §80-401.01 who draw compensation from the Veterans' Administration because of a one hundred percent disability and who do not otherwise qualify for total exemption. Secondly, the statute provides exemption for the unremarried widow or widower of veterans as referred to in the prior portion of the statute covering veterans with a compensable one

hundred percent disability, and also provides exemption for the unremarried widow or widower of a veteran who died because of a service-connected disability. Finally, the statute exempts the unremarried widow or widower of a serviceman or servicewoman who died while on active duty during the time periods contained in §80-401.01 in the definition of veteran.

Your question relates to whether the term “veteran” in the second portion of the statute discussed above with regard to the eligibility of unremarried widows or widowers of veterans who “died because of a service-connected disability” should be limited to veterans as defined in §80-401.01. While the statute is not a model of clarity, we believe that, construed as a whole, the term “veteran” should be interpreted as relating to the definition of veteran contained in §80-401.01 in applying the exemption in this situation. As indicated previously, this portion of the statute may be interpreted to cover situations involving the unremarried widow or widower of a veteran who had drawn compensation for a total disability (as referred to in the first portion of the statute), or the unremarried widow or widower of a veteran who died as a result of a service-connected disability. Presumably, this additional provision is intended to provide exemption to the unremarried widow or widower in the situation where a veteran who served on active duty during one of the times specified in §80-401.01 died as a result of a service-connected disability which did not amount to a total disability, as referred to in the previous portion of the statute.

In addition, it should be noted that, pursuant to Neb.Rev.Stat. §77-3521 (Reissue 1986), the Tax Commissioner has promulgated regulations regarding the availability of the Homestead Exemption provisions contained in Neb.Rev.Stat. §77-3501 to 77-3529 (Reissue 1986 and Cum. Supp. 1988). In construing the exemption granted for disabled veterans pursuant to §77-3509(1), the Commissioner has adopted Reg-45-002.07 of the Nebraska Homestead Regulations. Reg-45-002.07 provides, in pertinent part, as follows:

Qualified disabled veteran shall mean an owner/occupant or occupant for Reg 45-002.07C, of the homestead who served on active duty during the dates specified in section 80-401.01, and:

002.07A Who is totally disabled due to a nonmilitary accident or illness,

002.07B Who is drawing compensation from the Veteran's Administration of the United States because of one hundred percent disability and who is not eligible for total exemption under sections 77-3526 through 77-3528, the unremarried widow or widower of such veteran, the unremarried widow or widower of a veteran who died while on active duty during a recognized war of

the United States, and the unremarried widow or widower of a veteran who died because of a service-connected disability... (Emphasis added).

Generally, "although construction of a statute by a department charged with enforcing it is not controlling, considerable weight will be given to such a construction, particularly when the Legislature has failed to take any action to change such an interpretation." McCaul v. American Savings Company, 213 Neb. 841, 331 N.W.2d 795 (1983). "The interpretation of a statute given by an administrative agency to which the statute is directed is entitled to great weight." ATS Mobile Telephone, Inc. v. Curtin Call Communications, Inc., 194 Neb. 404, 232 N.W.2d 248 (1975).

Thus, under the administrative interpretation applied to the meaning of "veteran" for purposes of determining eligibility for the Homestead Exemption provided for in §77-3509(1), it is evident that the Nebraska Department of Revenue has construed this statute to apply to veterans as defined in §80-401.01. This interpretation is consistent with our prior conclusion that, construing the statute as a whole and giving due consideration to maintaining consistency in the meaning of the word "veteran" throughout the statute, the term should be construed to refer to veterans who served on active duty during the dates specified in §80-401.01. It is therefore our opinion that the term "veteran" should be interpreted as referring to the definition in §80-401.01 with regard to the reference to veterans who have died as a result of a service-connected disability contained within §77-3509(1).

Very truly yours,
ROBERT M. SPIRE
Attorney General

(Signed) L. Jay Bartel
Assistant Attorney General

cc: Patrick J. O'Donnell
Clerk of the Legislature

7-42-13

REPORTS

The following reports were received by the Legislature:

Quarterly reports from the Nebraska Department of Roads for the Nebraska State Highway Commission for March, June, and September, 1988.

Minutes of the Board of Public Roads Classifications and Standards for March through July, and September, 1988.

Statement of deposits to the Highway Cash Fund and Roads Operation Cash Fund for the calendar months of April through September, 1988 from the Nebraska Department of Roads in compliance with Section 66-476, R.S. Supp. 1980.

Semi-annual report from the Department of Environmental Control, showing the financial status of Program #518, Wastewater Construction Grants in accordance with Section 81-1533 Reissue Revised Statutes of Nebraska, 1943.

Quarterly reports ending in March, June, and September, 1988, from the Nebraska Energy Office covering the financial condition of the Natural Gas Revolving Loan Fund as required by Section 010 (Sec. 19-4617, R.R.S. 1943).

Annual Report and Plan of Work from the Natural Resources Commission for the Nebraska State Water Planning and Review Process in accordance with Section 2-15,106, Nebraska Revised Statutes.

Report of Examination from the Auditor of Public Accounts in accordance with Statute 81-106.

Biennial report from the Natural Resources Commission of the Nebraska Resources Development Fund Act in accordance with Section 2-1588 R.R.S., 1943.

Annual status report from the Nebraska Department of Economic Development as required by 81-1201.11, Nebraska Statutes (LB 965, 1986 Session).

State summary of investment securities of the State of Nebraska from the State Treasurer's office for March through July, 1988.

Audit reports from the Auditor of Public Accounts for the following: Nebraska Natural Resources Commission; Worker's Compensation Court; Nebraska Coordinating Commission for Postsecondary Education; Department of Environmental Control; Department of Correctional Services; Nebraska Liquor Control Commission; State Fire Marshal; Nebraska Policy Research Office; Nebraska Oil and Gas Conservation Commission; Nebraska Library Commission; Department of Education; Nebraska Supreme Court; Nebraska Public Service Commission; Board of Pardons; Department of

Correctional Services; Department of Motor Vehicles; Nebraska State Energy Office; Department of Labor; Department of Social Services; Nebraska Equal Opportunity Commission; Nebraska State Historical Society; Department of Health; Department of Public Institutions; and Board of Examiners for Landscape Architects.

Annual budgetary report from the Department of Administrative Services, Accounting Division.

1987 annual report "Traffic Accident Facts" from the Highway Safety Division, Nebraska Department of Roads.

Comprehensive Annual Financial Report from the Department of Administrative Services for the year ending June 30, 1987.

Annual report from the Nebraska Educational Telecommunications Commission concerning development of Nebraska public radio (LB 461, 1986).

Report of "Year One" Care Management Services from the Department on Aging in accordance with LB 42, 1987.

Annual report from the Nebraska State Historical Society for 1987-1988.

Annual report from the Nebraska Intergovernmental Data Communications Advisory Council.

Annual Early Childhood Licensing report from the Department of Social Services pursuant to Section 71-1910.

Findings of policies or statutes with regard to discrimination against persons who have taken a human immunodeficiency virus antibody or antigen test or who have been diagnosed as having acquired immunodeficiency syndrome (AIDS) from the following agencies in accordance with LB 1012, 1988: Nebraska Public Employees Retirement Systems, Department of Correctional Services, State Board of Examiners for Professional Engineers and Architects, Nebraska Liquor Control Commission, Department of Roads, Nebraska Brand Committee, Nebraska Workers' Compensation Court, Natural Resources Commission, Nebraska Library Commission, Office of the Public Counsel/Ombudsman, Department of Water Resources, Nebraska Accountability and Disclosure Commission, Department of Motor Vehicles, Board of Barber

Examiners, Executive Board of the Legislative Council, Department of Personnel, Secretary of State, Nebraska Commission for the Hearing Impaired, and Department of Agriculture.

COMMUNICATIONS

Received letter from Governor Orr in regard to LB 890, 1988, Preliminary Plan for Nursing Education.

Received letter from Governor Orr in regard to LB 664, 1988, Farm Mediation Act.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1. Introduced by Barrett, 39th District; R. Johnson, 34th District.

A BILL FOR AN ACT relating to the Legislature; to amend section 50-123.01, Reissue Revised Statutes of Nebraska, 1943; to change salary provisions as prescribed; to provide an operative date; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 2. Introduced by Barrett, 39th District.

A BILL FOR AN ACT relating to appropriations; to amend Laws 1987, LB 768, section 1; to change an appropriation as prescribed; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 3. Introduced by Barrett, 39th District.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for the expenses incurred during the Ninetieth Legislature, First Special Session; and to declare an emergency.

MOTION - Suspend Rules

Mr. Barrett moved to suspend Rule 3, Section 4(e)(i) and Rule 6, Section 2, and place LB 1, LB 2, and LB 3 on General File.

The motion to suspend the rules prevailed with 40 ayes, 0 nays, 3 present and not voting, and 6 excused and not voting.

ANNOUNCEMENT

The Chair announced today is Senator Baack's birthday.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the attached report on the following Governor appointments.

Agriculture

Ted Chikos - Dry Bean Commission
Jeffrey L. Pickering - Dry Bean Commission
Charles R. Witmer - Dry Bean Commission

Banking, Commerce and Insurance

Lee B. Jones - Research & Development Authority
Michael R. McCarthy - Research & Development Authority
Mary H. Jochim - Nebraska Investment Council

Education

Thomas Creigh, Jr. - Board of Educational Lands and Funds
Rose Sipe - Board of Educational Lands and Funds
Ralph P. Cuca, Jr. - Coordinating Commission for Postsecondary Education
Carol S. Hendrickson - Coordinating Commission for Postsecondary Education
Don R. Benning - School Financing Review Commission
Charlyne Berens - School Financing Review Commission
Ann Campbell - School Financing Review Commission
Senator Helen Campbell - School Financing Review Commission
Dr. Gene Koepke - School Financing Review Commission
Senator Howard Lamb - School Financing Review Commission
Don Leuenberger - School Financing Review Commission
Dr. James G. Merritt - School Financing Review Commission
Cynthia Milligan - School Financing Review Commission
Pat Neujahr - School Financing Review Commission
Margaret Norton - School Financing Review Commission
Duane Stehlik - School Financing Review Commission
Lyn Ziegenbein - School Financing Review Commission
Pat Vinton - School Financing Review Commission
Larry Vontz - School Financing Review Commission
Senator Ron Withem - School Financing Review Commission

Government, Military and Veterans Affairs

Susan Correa - Political Accountability and Disclosure Commission
Darrell Johnson - Crime Victim's Reparation Committee
Colonel H. W. LeGrande - Crime Victim's Reparation Committee
Janet L. Krotter - State Personnel Board

Health and Human Services

Rosemary Hannam - Commission for the Hearing Impaired
Phyllis Large - Commission for the Hearing Impaired
Rhonda H. L. Purbaugh - Commission for the Hearing Impaired
Jane Hansen Gilbert - Advisory Committee to Departments of Public
Welfare, Institutions, and Corrections
MaryLou Hannibal - Foster Care Review Board

Transportation

Jayne L. Mann - Motor Vehicle Industry Licensing Board
Lloyd J. Soukop - Motor Vehicle Industry Licensing Board
Dana E. Trowbridge - Motor Vehicle Industry Licensing Board

Health and Human Services

Robert F. Shapiro - State Board of Health
Dick Jeffers - State Board of Health
Zoy E. Blair - State Board of Health

Revenue

Mona Moje - Agricultural Land Valuation Advisory

Health and Human Services

Patricia J. Ruth - Foster Care Review Board

(Signed) Bernice Labedz, Chairperson
Legislative Council
Executive Board

NOTICE OF COMMITTEE HEARINGS

Agriculture

Governor Appointments Thursday, November 17, 1988 1:30 p.m.
Ted Chikos - Dry Bean Commission
Charles R. Witmer - Dry Bean Commission
Jeffrey L. Pickering - Dry Bean Commission

(Signed) Rod Johnson, Chairperson

Banking, Commerce and Insurance

Governor Appointments Thursday, November 17, 1988 2:00 p.m.

Mary H. Jochim - Nebraska Investment Council

Lee B. Jones - Research & Development Authority

Michael R. McCarthy - Research & Development Authority

(Signed) R. W. Remmers, Chairperson

Education

Governor Appointments Wednesday, November 16, 1988 3:00 p.m.

Thomas Creigh, Jr. - Board of Educational Lands and Funds

Rose Sipe - Board of Educational Lands and Funds

Ralph P. Cuca, Jr. - Coordinating Commission for Postsecondary Education

Carol S. Hendrickson - Coordinating Commission for Postsecondary Education

Dr. Don Benning - School Financing Review Commission

Charlyne Berens - School Financing Review Commission

Dr. Anne Campbell - School Financing Review Commission

Senator Helen Campbell - School Financing Review Commission

Dr. Gene Koepke - School Financing Review Commission

Senator Howard Lamb - School Financing Review Commission

Don Leuenberger - School Financing Review Commission

Dr. James G. Merritt - School Financing Review Commission

Cynthia Milligan - School Financing Review Commission

Margaret Norton - School Financing Review Commission

Pat Neujahr - School Financing Review Commission

Dr. Duane Stehlik - School Financing Review Commission

Lyn Ziegenbein - School Financing Review Commission

Pat Vinton - School Financing Review Commission

Dr. Larry Vontz - School Financing Review Commission

Senator Ron Withem - School Financing Review Commission

(Signed) Ron Withem, Chairperson

Government, Military and Veterans Affairs

Governor Appointments Thursday, November 17, 1988 2:30 p.m.

Colonel H. W. LeGrande - Crime Victim's Reparation Committee

Darrell Johnson - Crime Victim's Reparation Committee

Janet L. Krotter - State Personnel Board

Susan Correa - Accountability and Disclosure Commission

(Signed) Dennis Baack, Chairperson

Health and Human Services

Governor Appointments Thursday, November 17, 1988 2:00 p.m.

Mary Lou Hannibal - Foster Care Review Board

Jane Hansen Gilbert - Advisory Committee to the Department of Public Institutions, Department of Social Services, Department of Corrections

Zoy E. Blair, R.N. - State Board of Health

Dick J. Jeffers - State Board of Health

Phyllis Large - Commission for the Hearing Impaired

Rosemary Hannam - Commission for the Hearing Impaired

Rhonda Purbaugh - Commission for the Hearing Impaired

Robert F. Shapiro, M.D. - State Board of Health

(Signed) Don Wesely, Chairperson

Revenue

Governor Appointment Thursday, November 17, 1988 10:30 a.m.

Mona Moje - Agricultural Land Valuation Advisory Board

(Signed) Vard R. Johnson, Chairperson

Transportation

Governor Appointments Thursday, November 17, 1988 10:00 a.m.

Dana Trowbridge - Motor Vehicle Industry Licensing Board

Jayne Mann - Motor Vehicle Industry Licensing Board

Lloyd Soukop - Motor Vehicle Industry Licensing Board

(Signed) Howard Lamb, Chairperson

PROPOSED RULES CHANGE

Mr. V. Johnson offered the following proposed Rules change:

Amend Rule 3, Section 2, as follows:

Sec. 2. Appointment of committees. (a) At the commencement of each session, the Legislature shall elect a Committee on Committees to consist of thirteen members, one at large who shall be chairperson and ~~three from District Number 1 consisting of legislative districts Numbers 1 through 3, 25 through 30, 32, 45, and 46; three from District Number 2 consisting of legislative districts Numbers 4~~

~~through 14, 20 and 31, three from District Number 3 consisting of legislative districts Numbers 15 through 19, 21 through 24, 34, 35, and 40; and three from District Number 4 consisting of legislative districts Numbers 33, 36 through 39, 41 through 44, and 47 through 49.~~

four from legislative districts 1, 2, 15, 16, 23 through 30, 32 through 35, and 46; four from legislative districts 3 through 14, 20, 31 and 45; and four from legislative districts 17 through 19, 21, 22, 36 through 44, and 47 through 49.

Referred to the Rules Committee.

ANNOUNCEMENT

Mr. Lamb announced the Transportation Committee will meet in Room 1520 at 3:00 p.m. this afternoon or immediately upon adjournment. The committee will view a presentation of Project 20/20 by Charles Waymire. All interested members of the Legislature are invited to view the presentation.

ADJOURNMENT

At 2:29 p.m., on a motion by Mr. Barrett, the Legislature adjourned until 9:30 a.m., Saturday, November 12, 1988.

Patrick J. O'Donnell
Clerk of the Legislature

SECOND DAY - NOVEMBER 12, 1988

LEGISLATIVE JOURNAL

SECOND DAY - NOVEMBER 12, 1988

LEGISLATIVE JOURNAL

**NINETIETH LEGISLATURE
FIRST SPECIAL SESSION**

SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Saturday, November 12, 1988

Pursuant to adjournment, the Legislature met at 9:30 a.m., Speaker Barrett presiding.

PRAYER

The prayer was offered by Senator Miller.

ROLL CALL

The roll was called and all members were present except Messrs. Chizek, Hartnett, V. Johnson, Landis, Lynch, Mesdames Campbell, and Marsh who were excused.

CORRECTIONS FOR THE JOURNAL

The Journal for the First Day was approved.

ANNOUNCEMENT

The Chair announced today is Senator Smith's birthday.

ADJOURNMENT

At 9:37 a.m., on a motion by Mrs. Pirsch, the Legislature adjourned until 4:30 p.m., Monday, November 14, 1988.

Patrick J. O'Donnell
Clerk of the Legislature

THIRD DAY - NOVEMBER 14, 1988**LEGISLATIVE JOURNAL****NINETIETH LEGISLATURE
FIRST SPECIAL SESSION****THIRD DAY**

Legislative Chamber, Lincoln, Nebraska
Monday, November 14, 1988

Pursuant to adjournment, the Legislature met at 4:30 p.m., President Nichol presiding.

PRAYER

The prayer was offered by Senator Wehrbein.

ROLL CALL

The roll was called and all members were present except Messrs. Ashford, Chizek, Hall, Hannibal, V. Johnson, Korshoj, Landis, Mesdames Campbell, Johanns, Marsh, Morehead, and Pirsch who were excused.

CORRECTIONS FOR THE JOURNAL

The Journal for the Second Day was approved.

RESOLUTIONS

LEGISLATIVE RESOLUTION 1. Introduced by Wesely, 26th District; V. Johnson, 8th District; Haberman, 44th District; Pirsch, 10th District.

WHEREAS, Peter Hoagland represented District 6 in the Legislature from 1979 to 1987; and

WHEREAS, Peter Hoagland served in the Legislature with dedication and distinction; and

WHEREAS, Peter Hoagland was elected on November 8, 1988, to serve in the U.S. House of Representatives from Nebraska's Second Congressional District; and

WHEREAS, Peter Hoagland joins several other former members of the Nebraska Legislature who have augmented their distinguished careers by serving in other elected offices such as Don McGinley who served in the U.S. House of Representatives from 1959 to 1960 and as Lt. Governor from 1983 to 1987, John Cavanaugh who served in the U.S. House of Representatives from 1977 to 1981, Doug Bereuter who has served in the U.S. House of Representatives since 1979, Roland Luedtke who served as Lt. Governor from 1979 to 1983 and Mayor of Lincoln from 1983 to 1987, Bill Nichol who has served as Lt. Governor since 1987, and Bill Harris who has served as Mayor of Lincoln since 1987.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETIETH LEGISLATURE OF NEBRASKA, FIRST SPECIAL SESSION:

1. That the Legislature extends its best wishes and congratulations to Congressman-elect Peter Hoagland.
2. That a copy of this resolution be sent to Congressman-elect Peter Hoagland and his family.

Laid over.

LEGISLATIVE RESOLUTION 2. Introduced by McFarland, 28th District; Schellpeper, 18th District.

WHEREAS, individual state income tax liability for tax year 1986 was approximately \$348 million; and

WHEREAS, the preliminary estimate of individual state income tax liability for tax year 1987 is \$408 million, a \$60 million increase in individual income tax liability; and

WHEREAS, the increased individual income tax liability for tax year 1987 was instrumental in providing a \$72 million increase in fiscal year 1987-88 individual income tax collections over the previous fiscal year, from \$366 million to \$438 million; and

WHEREAS, the enactment of LB 773 in 1987 contributed most significantly to the 17% increase in tax-year liability and the 20% increase in individual income tax receipts during the previous fiscal year; and

WHEREAS, the State of Nebraska had a General Fund balance of \$178 million and an unobligated General Fund balance of \$144 million as of June 30, 1988; and

WHEREAS, there is evidence that the majority of the increase in individual state income taxes has been paid by Nebraska taxpayers in the middle-income brackets; and

WHEREAS, there is evidence that the Nebraska taxpayers in the upper-income brackets have generally had a decrease in their individual state income taxes; and

WHEREAS, the Department of Revenue had to hire approximately 60 full-time and 40 temporary employees to administer LB 773; and

WHEREAS, the additional annual cost required by the Department of Revenue to administer LB 773 was approximately \$2.3 million.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETIETH LEGISLATURE OF NEBRASKA, FIRST SPECIAL SESSION:

1. That the Legislature should amend the state income tax system to restore fairness and equity in the system, especially for middle-income Nebraskans.

2. That the amendment is necessary to remedy the effects of the tax increase enacted in LB 773.

3. That the amendment is necessary to ensure that all income tax groups pay a proportionate share of state income taxes.

4. That the Legislature shall adopt the necessary legislation in the next session of the Legislature to remedy the tax inequities and injustices occurring as a result of LB 773.

Laid over.

PROPOSED RULES CHANGE

Mr. Wesely offered the following proposed Rules change:

Amend Rule 3, Section 5 by adding a new subsection (d).

(d) There is hereby created a special committee to be known as the Economic Development Committee. The Economic Development Committee shall be responsible for focusing and coordinating legislative attention on economic development issues in the State of Nebraska. The committee shall not have jurisdiction over legislative bills but shall be subject to the same procedural rules as standing committees, insofar as they are applicable.

The chairperson of the Economic Development Committee shall be selected by secret ballot on the floor of the Legislature. The membership of the committee shall consist of the chairperson, or his or her designee, of each of the standing committees of the Legislature.

Referred to the Rules Committee.

NOTICE OF COMMITTEE HEARING

Rules

Wednesday, November 16, 1988 10:00 a.m.
Senator V. Johnson proposed rule change to amend Rule 3, Section 2 and found on Journal page 38.

Wednesday, November 16, 1988 10:00 a.m.
Senator Wesely proposed rule change to amend Rule 3, Section 5.

(Signed) Daniel C. Lynch, Chairperson

ADJOURNMENT

At 4:42 p.m., on a motion by Mrs. Higgins, the Legislature adjourned until 9:30 a.m., Tuesday, November 15, 1988.

Patrick J. O'Donnell
Clerk of the Legislature

FOURTH DAY - NOVEMBER 15, 1988**LEGISLATIVE JOURNAL****NINETIETH LEGISLATURE
FIRST SPECIAL SESSION****FOURTH DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, November 15, 1988

Pursuant to adjournment, the Legislature met at 9:30 a.m., Speaker Barrett presiding.

PRAYER

The prayer was offered by Senator Lowell Johnson.

ROLL CALL

The roll was called and all members were present except Messrs. Ashford, Chizek, Hartnett, Landis, Mesdames Campbell, Johanns, and Marsh who were excused; and Messrs. Abboud, V. Johnson, and Mrs. Labeledz who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the Third Day was approved.

UNANIMOUS CONSENT - Withdraw Co-Introducer

Mrs. Pirsch asked unanimous consent to have her name withdrawn as co-introducer to LR 1. No objections. So ordered.

RESOLUTION**LEGISLATIVE RESOLUTION 1. Read. Considered.**

Mr. Chambers offered the following amendment:
Strike the second "whereas" paragraph

The Chambers amendment was adopted with 25 ayes, 6 nays, 8 present and not voting, and 10 excused and not voting.

LR 1 was adopted with 33 ayes, 0 nays, 7 present and not voting, and 9 excused and not voting.

UNANIMOUS CONSENT - Add Co-Introducer

Mr. Dierks asked unanimous consent to have his name added as co-introducer to LR 2. No objections. So ordered.

RESOLUTION

LEGISLATIVE RESOLUTION 2. Read. Considered.

Mr. L. Johnson asked unanimous consent to be excused until he returns. No objections. So ordered.

Mr. Abboud moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 29 ayes, 0 nays, and 20 not voting.

MR. HANNIBAL PRESIDING

Mrs. Higgins requested a record vote on the adoption of LR 2.

Voting in the affirmative, 12:

Abboud	Haberman	McFarland	Nelson	Smith
Chambers	Higgins	Morehead	Schellpeper	Wesely
Dierks	Korshoj			

Voting in the negative, 28:

Baack	Coorsden	Johnson, L.	Miller	Scofield
Barrett	Elmer	Johnson, R.	Moore	Warner
Bernard-	Goodrich	Johnson, V.	Peterson	Wehrbein
Stevens	Hall	Lamb	Pirsch	Weihing
Beyer	Hannibal	Langford	Remmers	Withem
Conway	Hefner	Lynch	Rogers	

Present and not voting, 2:

Labedz Schmit

Excused and not voting, 7:

Ashford Chizek Johanns Landis Marsh
Campbell Hartnett

LR 2 lost with 12 ayes, 28 nays, 2 present and not voting, and 7 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 1. Title read. Considered.

Advanced to E & R for Review with 36 ayes, 0 nays, 6 present and not voting, and 7 excused and not voting.

LEGISLATIVE BILL 2. Title read. Considered.

Advanced to E & R for Review with 37 ayes, 0 nays, 5 present and not voting, and 7 excused and not voting.

LEGISLATIVE BILL 3. Title read. Considered.

Advanced to E & R for Review with 33 ayes, 0 nays, 9 present and not voting, and 7 excused and not voting.

ADJOURNMENT

At 10:50 a.m., on a motion by Mr. Barrett, the Legislature adjourned until 1:30 p.m., Wednesday, November 16, 1988.

Patrick J. O'Donnell
Clerk of the Legislature

FIFTH DAY - NOVEMBER 16, 1988

LEGISLATIVE JOURNAL

FIFTH DAY - NOVEMBER 16, 1988

LEGISLATIVE JOURNAL

**NINETIETH LEGISLATURE
FIRST SPECIAL SESSION**

FIFTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, November 16, 1988

Pursuant to adjournment, the Legislature met at 1:32 p.m., Speaker Barrett presiding.

PRAYER

The prayer was offered by Senator Tim Hall.

ROLL CALL

The roll was called and all members were present except Messrs. Ashford, Chizek, Conway, Goodrich, Landis, Withem, Mesdames Johanns, and Marsh who were excused.

CORRECTIONS FOR THE JOURNAL

The Journal for the Fourth Day was approved.

REPORT OF REGISTERED LOBBYISTS

In accordance with LB 987, passed in the 1976 session of the Legislature and amended by LB 4 and LB 41 in the 1977 session of the Legislature, the attached is a list of all Lobbyists who have registered as of November 15, 1988. Further lists listing additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Davis, Jeanene - Lincoln
(Withdrawn 88/08/26)
DeCamp, John W. - Lincoln

Edwards, Raymond E. -
Des Moines, IA
(Withdrawn 88/06/30)
Grieves, Verona - Lincoln

Hunter, David - Lincoln
(Withdrawn 88/05/12)
Hurst, Jon B. - Hershey, PA
(Withdrawn 88/04/30)
Kuhn, Donna R. - Lincoln
(Withdrawn 88/05/15)
Kunz, David N. - Lincoln
(Withdrawn 88/01/01)
Margason, Ronny J. - Bellevue
(Withdrawn 87/11/30)
Merritt, Jack C. - Lincoln

Mueller, William J./Knudsen,
Berkheimer, et al.

Noren, Charles F. - Hickman

Pappas, James E. - Lincoln

Nebraska Realtors Association

Financial Institutions of Nebraska
(Withdrawn 88/07/31)
Lady Luck Pickle Store
(Withdrawn 88/06/30)
Oakland-Craig Public School District
(Withdrawn 88/06/30)
Project 2000 (Withdrawn 88/06/30)
Sullivan-Arthur & Associates
(Registered 88/08/26)
Deere & Company

American Association of Retired
Persons (AARP) (Withdrawn 88/07/28)
Lincoln Independent Business
Association
Hershey Foods Corporation

Transportation-Communications
Union
Nebraska Dental Hygienists
Association
Nebraska Federation of Republican
Women
Body Toning Association of Nebraska
(Withdrawn 88/04/08)

Nebraska State Pest Control Association
(Withdrawn 88/07/08)
Abate of Nebraska, Inc.
(Withdrawn 88/05/01)
N.A.F.T.A.D. (Withdrawn 88/11/14)
Nebraska Constables Association
(Withdrawn 88/09/23)
Nebraska Technical Community College
Association (Withdrawn 88/09/09)
Bergan Mercy Hospital
(Withdrawn 88/06/01)
Financial Institutions of Nebraska
(Withdrawn 88/06/01)
Golden Years Health Care Services, Inc.
(Withdrawn 88/06/06)
Kelley, Kelley & Leehan
(Withdrawn 88/06/06)
Nebraska Beer Wholesalers Association
(Withdrawn 88/06/01)
Nebraska Dietetic Association, Inc.

	(Withdrawn 88/06/01)
	Norwest Bank - Nebraska, N.A.
	(Withdrawn 88/06/06)
	Uniform School Opening Date
	(Withdrawn 88/06/01)
Radcliffe, Walt H. - Lincoln	Nebraska Auto & Truck Salvage, Inc.
	(Withdrawn 88/06/30)
	Project 2000 (Withdrawn 88/06/24)
Ross, Karen Barrett - Lincoln	Nebraska Rural Electric Association
(Withdrawn 88/08/15)	
Ruth, Larry L./Knudsen, Berkheimer, et al.	Nebraska State Pest Control Association
	(Withdrawn 88/07/08)
Spitz, Clarence E. - Omaha	Omaha Public Power District
(Withdrawn 88/07/11)	
Vickers, Tom - Lincoln	American Association of University Professors - UNO
	(Withdrawn 88/06/01)
	American Massage Therapy Association, Nebraska Chapter
	(Withdrawn 88/06/01)
	Lincoln Public Schools
	(Withdrawn 88/06/01)

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following resolution: LR 1.

SELECT COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 1. Placed on Select File.

LEGISLATIVE BILL 2. Placed on Select File.

LEGISLATIVE BILL 3. Placed on Select File.

(Signed) Scott Moore, Chairperson

SELECT FILE

LEGISLATIVE BILL 1. Advanced to E & R for Engrossment.

LEGISLATIVE BILL 2. Advanced to E & R for Engrossment.

LEGISLATIVE BILL 3. Advanced to E & R for Engrossment.

NOTICE OF COMMITTEE HEARING

Health and Human Services

Governor Appointment Thursday, Nov. 17, 1988(Cancel) 2:00 p.m.
Mary Lou Hannibal - Foster Care Review Board

Governor Appointment Thursday, Nov. 17, 1988 2:00 p.m.
Patricia Ruth - Foster Care Review Board

(Signed) Don Wesely, Chairperson

RESOLUTION

LEGISLATIVE RESOLUTION 3. Introduced by Abboud, 12th District; Ashford, 6th District; Baack, 47th District; Barrett, 39th District; Bernard-Stevens, 42nd District; Beyer, 3rd District; Campbell, 22nd District; Chizek, 31st District; Conway, 17th District; Coordsen, 32nd District; Dierks, 40th District; Elmer, 38th District; Goodrich, 20th District; Haberman, 44th District; Hall, 7th District; Hannibal, 4th District; Hartnett, 45th District; Hefner, 19th District; Higgins, 9th District; Johanns, 27th District; L. Johnson, 15th District; R. Johnson, 34th District; V. Johnson, 8th District; Korshoj, 16th District; Labedz, 5th District; Lamb, 43rd District; Landis, 46th District; Langford, 36th District; Lynch, 13th District; Marsh, 29th District; McFarland, 28th District; Miller, 37th District; Moore, 24th District; Morehead, 30th District; Nelson, 35th District; Peterson, 21st District; Pirsch, 10th District; Remmers, 1st District; Rogers, 41st District; Schellpeper, 18th District; Schmit, 23rd District; Scofield, 49th District; Smith, 33rd District; Warner, 25th District; Wehrbein, 2nd District; Weihing, 48th District; Wesely, 26th District; Withem, 14th District.

WHEREAS, Nebraska voters approved a pay raise for the members of the Legislature at the May 1988 primary election; and

WHEREAS, this pay raise was the first increase to members' salaries in twenty years; and

WHEREAS, a pay increase proposal had been turned down by the voters on eight occasions during that twenty-year period; and

WHEREAS, the Nebraskans for Fair Legislative Pay Committee was formed to work in support of this ballot issue; and

WHEREAS, Woody Varner and Miriam Gabelman contributed countless hours to this issue in an attempt to present the issue fairly and adequately to all Nebraskans; and

WHEREAS, because of the efforts of Woody Varner, Miriam Gabelman, and other concerned citizens, Nebraska voters were made aware of the inequities of the inadequate salary being paid to members of the Legislature; and

WHEREAS, Nebraska voters overwhelmingly approved the proposed increase in senatorial pay.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETIETH LEGISLATURE OF NEBRASKA, FIRST SPECIAL SESSION:

1. That a heartfelt thank you be extended to Woody Varner and Miriam Gabelman for their dedication and hard work.

2. That expressions of appreciation be extended to all Nebraskans who gave of their time, money, and energy to ensure passage of the proposed pay increase for senators.

3. That the Clerk of the Legislature present copies of this resolution to Woody Varner and Miriam Gabelman.

Laid over.

EASE

The Legislature was at ease from 1:44 p.m. until 1:52 p.m.

SELECT COMMITTEE REPORT

Rules

Your Committee on Rules whose Chairperson is Senator Dan Lynch to whom was referred Senator Vard Johnson's Proposed Rule Change to amend Rule 3, Section 2 and found on Journal page 38 instructs me to report the same back to the Legislature with the recommendation that it be considered for adoption by the Legislature with the attached amendment.

1. Strike the original amendments and insert:

Amend Rule 3, Section 2 as follows:

Sec. 2. Appointment of committees. (a) At the commencement of each session, the Legislature shall elect a Committee on Committees to consist of thirteen members, one at large who shall be chairperson and three from District Number 1 consisting of legislative districts Numbers 1 through 3, 25 through 30, 32, 45, and 46; three from District Number 2 consisting of legislative districts Numbers 4 through 14, 20 and 31, three from District Number 3 consisting of legislative districts Numbers 15 through 19, 21 through 24, 34, 35, and 40; and three from District Number 4 consisting of legislative districts Numbers 33, 36 through 39, 41 through 44, and 47 through 49.

four from legislative districts 1, 15, 16, 23 through 30, 32 through 35, and 46; four from legislative districts 2 through 14, 20, 31 and 45; and four from legislative districts 17 through 19, 21, 22, 36 through 44, and 47 through 49.

Your Committee on Rules whose Chairperson is Senator Dan Lynch to whom was referred Senator Don Wesely's Proposed Rule Change to amend Rule 3, Section 5 and found on Journal page 43 instructs me to report the same back to the Legislature with the recommendation that it be indefinitely postponed.

Amend Rule 3, Section 5 by adding a new subsection (d).

(d) There is hereby created a special committee to be known as the Economic Development Committee. The Economic Development Committee shall be responsible for focusing and coordinating legislative attention on economic development issues in the State of Nebraska. The committee shall not have jurisdiction over legislative bills but shall be subject to the same procedural rules as standing committees, insofar as they are applicable.

The chairperson of the Economic Development Committee shall be selected by secret ballot on the floor of the Legislature. The membership of the committee shall consist of the chairperson, or his or her designee, of each of the standing committees of the Legislature.

(Signed) Daniel C. Lynch, Chairperson

RESOLUTION

LEGISLATIVE RESOLUTION 4. Introduced by Abboud, 12th District; Hartnett, 45th District; Lynch, 13th District.

WHEREAS, Creighton Preparatory School of Omaha won the 1988 Class A State Football Championship; and

WHEREAS, Creighton Prep has now captured an unprecedented four consecutive Class A state football titles; and

WHEREAS, Creighton Prep has won six of the last nine Class A state football titles.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETIETH LEGISLATURE OF NEBRASKA, FIRST SPECIAL SESSION:

1. That the Legislature extends its congratulations to the 1988 Creighton Prep Football Team and salutes the record of success established by Creighton Prep's coaches and players in the 1980s.

2. That a copy of this resolution be sent to the 1988 Creighton Prep Football Team, in care of Father Lannon, S.J., President of Creighton Preparatory School, Mr. Rouse, Principal of Creighton Preparatory School, and Mr. Jaworski, Head Football Coach of Creighton Preparatory School, Creighton Preparatory School, 7400 Western Avenue, Omaha, Nebraska 68114.

Laid over.

SELECT COMMITTEE REPORTS

Enrollment and Review

Correctly Engrossed

The following bills were correctly engrossed: 1, 2, and 3.

(Signed) Scott Moore, Chairperson

VISITORS

Visitors to the Chamber were Senator Smith's son, Kurt, daughter-in-law, Susan, grandson, Kurtie from Germany, and nephew, Marc Keen from Lincoln; members of the Criminal Justice Forum: Aaron McVey, National Crime Commission, Sheriff Jack Dolon, Benton County, Oregon, Senator Bill Richards, Tennessee, and Bob Anderson, Denver, Colorado; Joyce Anderson from Denver, Colorado; and members of the League of Nebraska Municipalities: Jeff Kooistra from Plattsmouth, Mayor John Sullivan from Valley, Mayor Walt Calinger from Omaha, Duane Slaughter and Richard Strelle from Lyons, Mayor Wayne Marsh and Phil Kloster from Wayne, Howard Parrott from West Point, David Krutz from Stanton, Mayor-elect Ken Kunze and Jack Kidder from York, Roger Bartlett from Waverly, Mayor Bill Harris from Lincoln, Jim Bauer and Connie Hartig from Beatrice, Mayor Shirley J. Howell from Fairbury, Mayor Douglas Huber from Hebron, Charles Pickens and Thomas Palmer from Kearney, Bill Mattern from O'Neill, Tom Spunaugle from Imperial, Mayor Earl Cook from Ogallala, Mayor Inez Boyd and Gary Dickson from Bellevue, Mayor Jack Nerud and Bill Patterson from Oshkosh, Mayor Rich Robb and Lyle M. Lacy from Alliance, Carl Dierks from Chadron, and Major Jane Morgan from Gordon.

ADJOURNMENT

At 1:53 p.m., on a motion by Mr. Baack, the Legislature adjourned until 9:30 a.m., Thursday, November 17, 1988.

Patrick J. O'Donnell
Clerk of the Legislature



SIXTH DAY - NOVEMBER 17, 1988

LEGISLATIVE JOURNAL

SIXTH DAY - NOVEMBER 17, 1988

LEGISLATIVE JOURNAL

**NINETIETH LEGISLATURE
FIRST SPECIAL SESSION**

SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, November 17, 1988

Pursuant to adjournment, the Legislature met at 9:30 a.m., Speaker Barrett presiding.

PRAYER

The prayer was offered by Senator Elroy M. Hefner.

ROLL CALL

The roll was called and all members were present except Messrs. Chambers, Chizek, Hartnett, Landis, Withem, and Mrs. Marsh who were excused.

CORRECTIONS FOR THE JOURNAL

The Journal for the Fifth Day was approved.

STANDING COMMITTEE REPORT

Education

The Committee on Education desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Thomas Creigh, Jr. - Board of Educational Lands and Funds
Rose Sipe - Board of Educational Lands and Funds

Voting aye: Senators Peterson, Baack, Dierks, McFarland, Nelson, Withem

Absent: Senators V. Johnson, Chizek

The Committee on Education desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Ralph P. Cuca, Jr. - Coordinating Commission for Postsecondary Education

Carol S. Hendrickson - Coordinating Commission for Postsecondary Education

Voting aye: Senators Peterson, Baack, Dierks, McFarland, Nelson, Withem

Absent: Senators V. Johnson and Chizek

The Committee on Education desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Senator Ron Withem, Cynthia Milligan, Senator Howard Lamb, Don Leuenberger, Dr. Gene Koepke, Dr. Larry Vontz, Charlyne Berens, Lyn Ziegenbein, Pat Neujahr, Dr. Duane Stehlik, Margaret Norton, Dr. James Merritt, Dr. Anne Campbell, Dr. Don Benning, Pat Vinton

Voting aye: Senators Peterson, Baack, Dierks, McFarland, Nelson

Not voting: Senator Withem

Absent: Senators V. Johnson, Chizek

(Signed) Ron Withem, Chairperson

RESOLUTION

LEGISLATIVE RESOLUTION 4. Read. Considered.

Mr. Ashford asked unanimous consent to have his name added as co-introducer to LR 4. No objections. So ordered.

LR 4 was adopted with 33 ayes, 0 nays, and 16 not voting.

PROPOSED RULE CHANGE

Mr. Lynch renewed the Rules Committee report found in the Journal on page 52.

Mr. Abboud moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 27 ayes, 0 nays, and 22 not voting.

The Rules Committee amendment to the proposed V. Johnson rule change lost with 8 ayes, 31 nays, 4 present and not voting, and 6 excused and not voting.

Mr. Hall requested a record vote on the V. Johnson proposed rule change found in the Journal on page 38.

Voting in the affirmative, 11:

Abboud	Goodrich	Hannibal	Johnson, V.	Lynch
Ashford	Hall	Higgins	Labeledz	McFarland
Beyer				

Voting in the negative, 32:

Baack	Dierks	Korshoj	Peterson	Scofield
Barrett	Elmer	Lamb	Pirsch	Smith
Bernard-	Haberman	Langford	Remmers	Warner
Stevens	Hefner	Miller	Rogers	Wehrbein
Campbell	Johanns	Moore	Schellpeper	Weihing
Conway	Johnson, L.	Morehead	Schmit	Wesely
Coordsen	Johnson, R.	Nelson		

Excused and not voting, 6:

Chambers	Hartnett	Landis	Marsh	Withem
Chizek				

The V. Johnson proposed rule change lost with 11 ayes, 32 nays, and 6 excused and not voting.

ADJOURNMENT

At 10:24 a.m., on a motion by Mr. Dierks, the Legislature adjourned until 9:30 a.m., Friday, November 18, 1988.

Patrick J. O'Donnell
Clerk of the Legislature

SEVENTH DAY - NOVEMBER 18, 1988**LEGISLATIVE JOURNAL****NINETIETH LEGISLATURE
FIRST SPECIAL SESSION****SEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Friday, November 18, 1988

Pursuant to adjournment, the Legislature met at 9:38 a.m., President Nichol presiding.

PRAYER

The prayer was offered by Senator John Weihing.

ROLL CALL

The roll was called and all members were present except Messrs. Ashford, Chizek, Landis, and Mrs. Marsh who were excused.

CORRECTIONS FOR THE JOURNAL

The Journal for the Sixth Day was approved.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 1. With Emergency.

A BILL FOR AN ACT relating to the Legislature; to amend section 50-123.01, Reissue Revised Statutes of Nebraska, 1943; to change salary provisions as prescribed; to provide an operative date; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 44:

Abboud	Dierks	Johanns	McFarland	Schellpeper
Baack	Elmer	Johnson, L.	Miller	Schmit
Barrett	Goodrich	Johnson, R.	Moore	Scofield
Bernard-	Haberman	Johnson, V.	Morehead	Smith
Stevens	Hall	Korshoj	Nelson	Warner
Beyer	Hannibal	Labeledz	Peterson	Wehrbein
Campbell	Hartnett	Lamb	Pirsch	Weihsing
Conway	Hefner	Langford	Remmers	Wesely
Coordsen	Higgins	Lynch	Rogers	Withem

Voting in the negative, 0.

Present and not voting, 1:

Chambers

Excused and not voting, 4:

Ashford	Chizek	Landis	Marsh
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A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 2. With Emergency.

A BILL FOR AN ACT relating to appropriations; to amend Laws 1987, LB 768, section 1; to change an appropriation as prescribed; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 45:

Abboud	Barrett	Bernard-	Beyer	Chambers
Baack		Stevens	Campbell	Conway

Coordsen	Hefner	Lamb	Nelson	Scofield
Dierks	Higgins	Langford	Peterson	Smith
Elmer	Johanns	Lynch	Pirsch	Warner
Goodrich	Johnson, L.	McFarland	Remmers	Wehrbein
Haberman	Johnson, R.	Miller	Rogers	Weihing
Hall	Johnson, V.	Moore	Schellpeper	Wesely
Hannibal	Korshoj	Morehead	Schmit	Withem
Hartnett	Labedz			

Voting in the negative, 0.

Excused and not voting, 4:

Ashford Chizek Landis Marsh

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 3. With Emergency.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for the expenses incurred during the Ninetieth Legislature, First Special Session, 1988; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 45:

Abboud	Dierks	Johanns	McFarland	Schellpeper
Baack	Elmer	Johnson, L.	Miller	Schmit
Barrett	Goodrich	Johnson, R.	Moore	Scofield
Bernard-	Haberman	Johnson, V.	Morehead	Smith
Stevens	Hall	Korshoj	Nelson	Warner
Beyer	Hannibal	Labedz	Peterson	Wehrbein
Campbell	Hartnett	Lamb	Pirsch	Weihing
Chambers	Hefner	Langford	Remmers	Wesely
Conway	Higgins	Lynch	Rogers	Withem
Coordsen				

Voting in the negative, 0.

Excused and not voting, 4:

Ashford Chizek Landis Marsh

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION - Approve Appointments

Mr. Withem moved the adoption of the report of the Education Committee for the following Governor appointments found in the Journal on pages 56 and 57: Thomas Creigh, Jr. - Board of Educational Lands and Funds; Rose Sipe - Board of Educational Lands and Funds; Ralph P. Cuca, Jr. - Coordinating Commission for Postsecondary Education; Carol S. Hendrickson - Coordinating Commission for Postsecondary Education; Senator Ron Withem; Cynthia Milligan; Senator Howard Lamb; Don Leuenberger; Dr. Gene Koepke; Dr. Larry Vontz; Charlyne Berens; Lyn Ziegenbein; Pat Neujahr; Dr. Duane Stehlik; Margaret Norton; Dr. James Merritt; Dr. Anne Campbell; Dr. Don Benning; Pat Vinton.

Voting in the affirmative, 42:

Abboud	Dierks	Johnson, L.	Miller	Schellpeper
Baack	Elmer	Johnson, R.	Moore	Scofield
Barrett	Goodrich	Johnson, V.	Morehead	Smith
Bernard-	Hall	Korshoj	Nelson	Warner
Stevens	Hannibal	Labeledz	Peterson	Wehrbein
Beyer	Hartnett	Lamb	Pirsch	Weihing
Campbell	Hefner	Langford	Remmers	Wesely
Conway	Higgins	Lynch	Rogers	Withem
Coordsen	Johanns	McFarland		

Voting in the negative, 0.

Present and not voting, 3:

Chambers Haberman Schmit

Excused and not voting, 4:

Ashford Chizek Landis Marsh

These appointments were confirmed with 42 ayes, 0 nays, 3 present and not voting, and 4 excused and not voting.

STANDING COMMITTEE REPORTS
Transportation

The Committee on Transportation desires to report favorably upon the appointment listed below. The Committee suggests the appointment be confirmed by the Legislature and suggests a record vote.

Jayne L. Mann - Motor Vehicle Industry Licensing Board

Voting aye: Senators Lamb, Beyer, Campbell, Pirsch, Rogers and Schellpeper.

Voting nay: None.

Absent: Senators Ashford and Wesely.

The Committee on Transportation desires to report favorably upon the appointment listed below. The Committee suggests the appointment be confirmed by the Legislature and suggests a record vote.

Lloyd Soukop - Motor Vehicle Industry Licensing Board

Voting aye: Senators Lamb, Beyer, Campbell, Pirsch, Rogers and Schellpeper.

Voting nay: None.

Absent: Senators Ashford and Wesely.

The Committee on Transportation desires to report favorably upon the appointment listed below. The Committee suggests the appointment be confirmed by the Legislature and suggests a record vote.

Dana E. Trowbridge - Motor Vehicle Industry Licensing Board

Voting aye: Senators Lamb, Beyer, Campbell, Pirsch, Rogers and Schellpeper.

Voting nay: None.

Absent: Senators Ashford and Wesely.

(Signed) Howard Lamb, Chairperson

MOTION - Approve Appointments

Mr. Lamb moved the adoption of the report of the Transportation Committee for the following Governor appointments found in this day's Journal: Jayne L. Mann - Motor Vehicle Industry Licensing Board, Lloyd Soukop - Motor Vehicle Industry Licensing Board, Dana E. Trowbridge - Motor Vehicle Industry Licensing Board.

Voting in the affirmative, 38:

Abboud	Coordsen	Johanns	Miller	Schellpeper
Baack	Elmer	Johnson, L.	Moore	Schmit
Barrett	Goodrich	Johnson, R.	Morehead	Scofield
Bernard-	Haberman	Johnson, V.	Nelson	Smith
Stevens	Hall	Korshoj	Peterson	Wehrbein
Beyer	Hartnett	Lamb	Pirsch	Wesely
Campbell	Hefner	Langford	Remmers	Withem
Conway	Higgins	McFarland	Rogers	

Voting in the negative, 0.

Present and not voting, 7:

Chambers	Hannibal	Lynch	Warner	Weihing
Dierks	Labeledz			

Excused and not voting, 4:

Ashford	Chizek	Landis	Marsh
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These appointments were confirmed with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following bills: 1, 2, and 3.

STANDING COMMITTEE REPORT
Government, Military and Veterans Affairs

The Committee on Government, Military and Veterans Affairs desires to report favorably upon the appointments listed below. The

Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Colonel H. W. LeGrande - Crime Victims Reparation Committee
 Sheriff Darrell Johnson - Crime Victims Reparation Committee
 Susan Correa - Political Accountability and Disclosure Commission
 Janet L. Krotter - State Personnel Board

Voting aye: Senators Baack, Campbell, Coordsen, Dierks and Remmers

Voting nay: None

Absent: Senators Higgins, Smith and Withem

(Signed) Dennis Baack, Chairperson

MOTION - Approve Appointments

Mr. Baack moved the adoption of the report of the Government, Military and Veterans Affairs Committee for the following Governor appointments found in this day's Journal: Colonel H. W. LeGrande - Crime Victims Reparation Committee, Sheriff Darrell Johnson - Crime Victims Reparation Committee, Susan Correa - Political Accountability and Disclosure Commission, Janet L. Krotter - State Personnel Board.

Voting in the affirmative, 34:

Abboud	Coordsen	Hartnett	McFarland	Schellpeper
Baack	Dierks	Hefner	Miller	Schmit
Barrett	Elmer	Johanns	Moore	Smith
Bernard-	Goodrich	Johnson, R.	Morehead	Wehrbein
Stevens	Haberman	Johnson, V.	Nelson	Weihing
Beyer	Hall	Lamb	Remmers	Wesely
Campbell	Hannibal	Langford	Rogers	Withem

Voting in the negative, 0.

Present and not voting, 11:

Chambers	Johnson, L.	Labeledz	Peterson	Scofield
Conway	Korshoj	Lynch	Pirsch	Warner
Higgins				

Excused and not voting, 4:

Ashford Chizek Landis Marsh

These appointments were confirmed with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

STANDING COMMITTEE REPORTS
Health and Human Services

The Committee on Health and Human Services desires to report favorably upon the appointment listed below. The Committee suggests the appointment be confirmed by the Legislature and suggests a record vote.

Jane Hansen Gilbert - Advisory Committee to the Department of Public Institutions, Social Services and Corrections

Voting aye: Senators Bernard-Stevens, Beyer, Goodrich, Schellpeper, Wesely.

Voting nay: None.

Absent: Senators Lynch and Morehead.

The Committee on Health and Human Services desires to report favorably upon the appointment listed below. The Committee suggests the appointment be confirmed by the Legislature and suggests a record vote.

Zoy E. Blair - State Board of Health

Voting aye: Senators Bernard-Stevens, Beyer, Goodrich, Schellpeper, Wesely.

Voting nay: None.

Absent: Senators Lynch and Morehead.

The Committee on Health and Human Services desires to report favorably upon the appointment listed below. The Committee suggests the appointment be confirmed by the Legislature and suggests a record vote.

Dick J. Jeffers - State Board of Health

Voting aye: Senators Bernard-Stevens, Beyer, Goodrich, Schellpeper, Wesely.

Voting nay: None.

Absent: Senators Lynch and Morehead.

The Committee on Health and Human Services desires to report favorably upon the reappointment listed below. The Committee suggests the reappointment be confirmed by the Legislature and suggests a record vote.

Robert F. Shapiro, M.D. - State Board of Health

Voting aye: Senators Bernard-Stevens, Beyer, Goodrich, Schellpeper, Wesely.

Voting nay: None.

Absent: Senators Lynch and Morehead.

The Committee on Health and Human Services desires to report favorably upon the appointment listed below. The Committee suggests the appointment be confirmed by the Legislature and suggests a record vote.

Phyllis Large - Commission for the Hearing Impaired

Voting aye: Senators Bernard-Stevens, Beyer, Goodrich, Schellpeper, Wesely.

Voting nay: None.

Absent: Senators Lynch and Morehead.

The Committee on Health and Human Services desires to report favorably upon the appointment listed below. The Committee suggests the appointment be confirmed by the Legislature and suggests a record vote.

Rosemary Hannam - Commission for the Hearing Impaired

Voting aye: Senators Bernard-Stevens, Beyer, Goodrich, Schellpeper, Wesely.

Voting nay: None.

Absent: Senators Lynch and Morehead.

The Committee on Health and Human Services desires to report favorably upon the reappointment listed below. The Committee suggests the reappointment be confirmed by the Legislature and suggests a record vote.

Rhonda Purbaugh - Commission for the Hearing Impaired

Voting aye: Senators Bernard-Stevens, Beyer, Goodrich, Schellpeper, Wesely.

Voting nay: None.

Absent: Senators Lynch and Morehead.

The Committee on Health and Human Services desires to report favorably upon the appointment listed below. The Committee suggests the appointment be confirmed by the Legislature and suggests a record vote.

Patricia Ruth - Foster Care Review Board

Voting aye: Senators Bernard-Stevens, Beyer, Goodrich, Schellpeper, Wesely.

Voting nay: None.

Absent: Senators Lynch and Morehead.

(Signed) Don Wesely, Chairperson

MOTION - Approve Appointments

Mr. Wesely moved the adoption of the report of the Health and Human Services Committee for the following Governor appointments found in this day's Journal: Jane Hansen Gilbert - Advisory Committee to the Department of Public Institutions, Social Services and Corrections; Zoy E. Blair - State Board of Health; Dick J. Jeffers - State Board of Health; Robert F. Shapiro, M.D. - State Board of Health; Phyllis Large - Commission for the Hearing Impaired; Rosemary Hannam - Commission for the Hearing Impaired; Rhonda Purbaugh - Commission for the Hearing Impaired; Patricia Ruth - Foster Care Review Board.

Voting in the affirmative, 31:

Abboud	Dierks	Johnson, L.	Miller	Schmit
Barrett	Goodrich	Johnson, R.	Morehead	Smith
Bernard-	Haberman	Johnson, V.	Nelson	Wehrbein
Stevens	Hall	Korshoj	Pirsch	Weihing
Beyer	Hannibal	Langford	Remmers	Wesely
Chambers	Hartnett	McFarland	Rogers	Withem
Coordsen	Johanns			

Voting in the negative, 0.

Present and not voting, 14:

Baack	Elmer	Labadz	Moore	Scofield
Campbell	Hefner	Lamb	Peterson	Warner
Conway	Higgins	Lynch	Schellpeper	

Excused and not voting, 4:

Ashford	Chizek	Landis	Marsh
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These appointments were confirmed with 31 ayes, 0 nays, 14 present and not voting, and 4 excused and not voting.

STANDING COMMITTEE REPORT **Banking, Commerce and Insurance**

The Banking, Commerce and Insurance Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Mary H. Jochim - Nebraska Investment Council
Lee B. Jones - Research & Development Authority
Michael R. McCarthy - Research & Development Authority

Voting aye: Senators Remmers, Conway, Lynch, Weihing and Goodrich

Absent: Senators Schmit, Landis and Haberman

(Signed) R. W. Remmers, Chairperson

MOTION - Approve Appointments

Mr. Remmers moved the adoption of the report of the Banking, Commerce and Insurance Committee for the following Governor appointments found in this day's Journal: Mary H. Jochim - Nebraska Investment Council, Lee B. Jones - Research & Development Authority, Michael R. McCarthy - Research & Development Authority

Voting in the affirmative, 31:

Abboud	Barrett
--------	---------

Bernard-Stevens	Haberman	Johnson, V.	Morehead	Schmit
Beyer	Hall	Lamb	Nelson	Scofield
Conway	Hannibal	Langford	Pirsch	Smith
Dierks	Hefner	Lynch	Remmers	Wehrbein
Goodrich	Johanns	McFarland	Rogers	Weihing
	Johnson, L.	Miller	Schellpeper	Wesely

Voting in the negative, 0.

Present and not voting, 14:

Baack	Coordsen	Higgins	Labedz	Warner
Campbell	Elmer	Johnson, R.	Moore	Withem
Chambers	Hartnett	Korshoj	Peterson	

Excused and not voting, 4:

Ashford	Chizek	Landis	Marsh
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These appointments were confirmed with 31 ayes, 0 nays, 14 present and not voting, and 4 excused and not voting.

STANDING COMMITTEE REPORT

Agriculture

The Committee on Agriculture desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Ted Chikos - Nebraska Dry Bean Commission
 Jeffrey L. Pickering - Nebraska Dry Bean Commission
 Charles R. Witmer - Nebraska Dry Bean Commission

Voting aye: Senators Bernard-Stevens, Chambers, Coordsen, Elmer, Hefner, R. Johnson and Miller

Voting nay: None

Absent: Senator Morehead

(Signed) Rod Johnson, Chairperson

MOTION - Approve Appointments

Mr. R. Johnson moved the adoption of the report of the Agriculture Committee for the following Governor appointments found in this

day's Journal: Ted Chikos - Nebraska Dry Bean Commission, Jeffrey L. Pickering - Nebraska Dry Bean Commission, Charles R. Witmer - Nebraska Dry Bean Commission.

Voting in the affirmative, 30:

Abboud	Elmer	Johnson, R.	McFarland	Rogers
Barrett	Goodrich	Johnson, V.	Miller	Schellpeper
Beyer	Hall	Labeledz	Morehead	Wehrbein
Campbell	Hefner	Lamb	Peterson	Weihsing
Conway	Johanns	Langford	Pirsch	Wesely
Dierks	Johnson, L.	Lynch	Remmers	Withem

Voting in the negative, 0.

Present and not voting, 15:

Baack	Coordsen	Hartnett	Moore	Scofield
Bernard-	Haberman	Higgins	Nelson	Smith
Stevens	Hannibal	Korshoj	Schmit	Warner
Chambers				

Excused and not voting, 4:

Ashford	Chizek	Landis	Marsh
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These appointments were confirmed with 30 ayes, 0 nays, 15 present and not voting, and 4 excused and not voting.

STANDING COMMITTEE REPORT Revenue

The Committee on Revenue desires to report favorably upon the appointment listed below. The Committee suggests the appointment be confirmed by the Legislature and suggests a record vote.

Mona R. Moje - Ag. Land Valuation Advisory Board

Voting aye: Senators V. Johnson, Hefner, Peterson, Miller and Rogers

Voting nay: None

Absent: Senators Haberman, Hartnett and Landis

(Signed) Vard R. Johnson, Chairperson

MOTION - Approve Appointments

Mr. V. Johnson moved the adoption of the report of the Revenue Committee for the following Governor appointment found in this day's Journal: Mona R. Moje - Ag. Land Valuation Advisory Board.

Voting in the affirmative, 30:

Abboud	Coordsen	Johanns	Morehead	Schellpeper
Barrett	Elmer	Johnson, R.	Nelson	Scofield
Bernard-	Haberman	Johnson, V.	Peterson	Smith
Stevens	Hall	Langford	Pirsch	Wehrbein
Beyer	Hefner	McFarland	Remmers	Wesely
Campbell	Higgins	Miller	Rogers	Withem
Conway				

Voting in the negative, 0.

Present and not voting, 15:

Baack	Goodrich	Johnson, L.	Lamb	Schmit
Chambers	Hannibal	Korshoj	Lynch	Warner
Dierks	Hartnett	Labeledz	Moore	Weihing

Excused and not voting, 4:

Ashford	Chizek	Landis	Marsh
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The appointment was confirmed with 30 ayes, 0 nays, 15 present and not voting, and 4 excused and not voting.

ANNOUNCEMENT

The Chair announced today is Senator Campbell's birthday.

RESOLUTIONS

LEGISLATIVE RESOLUTION 5. Introduced by Schmit, 23rd District; Labeledz, 5th District; Conway, 17th District; Nelson, 35th District; Remmers, 1st District; Chambers, 11th District; Peterson, 21st District; Haberman, 44th District.

WHEREAS, the recent failure of the Franklin Credit Union in Omaha, Nebraska resulted in a potential improper taking of funds valued at more than thirty million dollars; and

WHEREAS, despite the fact that losses to depositors are federally insured, similar questions of appropriate supervision by public officials, propriety of management by owners, improper use and taking of funds from depositors by management are raised by this situation as were involved in the failure of Commonwealth.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETIETH LEGISLATURE OF NEBRASKA, FIRST SPECIAL SESSION:

1. That the Executive Board of the Legislature immediately initiate a study and investigation of all matters relating to the failure of the Franklin Credit Union with particular attention to involvement or impropriety of any public officials and, with such resources and direction and assistance as the Executive Board deems necessary, provide a preliminary report to the 1989 Legislature to enable the Legislature to take the action it deems appropriate.

Mr. Schmit moved to suspend the rules, Rule 4, Section 6 to permit consideration of LR 5 today.

The motion to suspend the rules prevailed with 31 ayes, 0 nays, 14 present and not voting, and 4 excused and not voting.

LR 5 was adopted with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

LEGISLATIVE RESOLUTION 3. Read. Considered.

LR 3 was adopted with 42 ayes, 0 nays, and 7 not voting.

PRESENTED TO THE GOVERNOR

Presented to the Governor on November 18, 1988, at 10:23 a.m., were the following bills: 1, 2, and 3.

(Signed) Randall S. Tippin, Enrolling Clerk

UNANIMOUS CONSENT - Add Co-Introducers

Messrs. Hartnett, Elmer, and Mrs. Johanns asked unanimous consent to have their names added as co-introducers to LR 5. No objections. So ordered.

MESSAGE FROM THE GOVERNOR

November 19, 1988

Patrick J. O'Donnell
Clerk of the Legislature
State Capitol
Lincoln, Nebraska 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 1, 2, and 3 were received in my office on November 18, 1988.

These bills were signed by me on November 19, 1988, and delivered to the Secretary of State.

Sincerely,
(Signed) KAY A. ORR
Governor

MOTION - Approve Journal

Mr. Remmers moved that the Legislative Journal for the Seventh Day be approved as prepared by the Clerk of the Legislature.

The motion prevailed.

MOTION - Adjourn Sine Die

Mr. V. Johnson moved that the Ninetieth Legislature, First Special Session of the Legislature, having finished all business before it, now at 11:05 a.m. adjourn sine die.

The motion prevailed.

Patrick J. O'Donnell
Clerk of the Legislature

CHRONOLOGY OF BILLS
NINETIETH LEGISLATURE
FIRST SPECIAL SESSION
1988

LEGISLATIVE BILL 1. By Barrett, R. Johnson

Nov. 11	1	Read first time. Barrett motion to suspend rules prevailed. Placed on General File	34
Nov. 15	4	Advanced for Review	47
Nov. 16	5	Placed on Select File. Advanced for Engrossment	50
Nov. 16	5	Correctly Engrossed	54
Nov. 18	7	Final Reading w/E 44-0-5	59
Nov. 18	7	President signed	64
Nov. 18	7	Presented to Governor (11/18)	73
Nov. 18	7	Approved by Governor (11/19)	74

LEGISLATIVE BILL 2. By Barrett

Nov. 11	1	Read first time. Barrett motion to suspend rules prevailed. Placed on General File	34
Nov. 15	4	Advanced for Review	47
Nov. 16	5	Placed on Select File. Advanced for Engrossment	50
Nov. 16	5	Correctly Engrossed	54
Nov. 18	7	Final Reading w/E 45-0-4	60
Nov. 18	7	President signed	64
Nov. 18	7	Presented to Governor (11/18)	73
Nov. 18	7	Approved by Governor (11/19)	74

LEGISLATIVE BILL 3. By Barrett

Nov. 11	1	Read first time. Barrett motion to suspend rules prevailed. Placed on General File	34
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Nov. 15	4	Advanced for Review	47
Nov. 16	5	Placed on Select File.	
		Advanced for Engrossment	50
Nov. 16	5	Correctly Engrossed	54
Nov. 18	7	Final Reading w/E 45-0-4	61
Nov. 18	7	President signed	64
Nov. 18	7	Presented to Governor (11/18)	73
Nov. 18	7	Approved by Governor (11/19)	74

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BY INTRODUCERS**

WILLIAM E. BARRETT

LB

- 1* Provide for legislative salaries consistent with constitutional provisions.
2 Appropriate funds for legislative salaries.
3 Appropriate funds for special session expenses.

ROD JOHNSON

LB

- 1* Provide for legislative salaries consistent with constitutional provisions.

* With others.

SUMMARY OF LEGISLATION**Ninetieth Legislature, First Special Session**

The following table shows the final disposition:

Total Number of Bills Introduced	3
Total Number of Resolutions Introduced	5

Approved by Governor, 3:

1e 2e 3e

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1 3 4 5

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